Twelfth special session
AD HOC COMMITTEE OF THE
TWELFTH SPECIAL SESSION
Agenda item 9

REVIEW OF THE IMPLEMENTATION OF THE RECOMMENDATIONS AND DECISIONS
ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH SPECIAL SESSION

Note verbale dated 24 June 1982 from the Permanent Mission of the Federal
Republic of Germany to the United Nations addressed to the Secretariat

The Permanent Mission of the Federal Republic of Germany to the United Nations
presents its compliments to the Secretariat of the United Nations and has the
honour to transmit annexed hereto a document entitled "Working paper on confidence-
building measures within the United Nations system", submitted by the Federal
Republic of Germany, for circulation as an official document of the twelfth special
session of the General Assembly under agenda item 9, and substantive consideration
in the Ad Hoc Committee.
ANNEX

Working paper on confidence-building measures within the United Nations system

I. History of the initiative on confidence-building measures

1. In adopting by consensus resolution 36/97 F at its thirty-sixth session on 9 December 1982, the General Assembly reaffirmed once more the importance of confidence-building measures for arms control and disarmament and for international security. a/ This resolution invites all States to consider the possible introduction of confidence-building measures in their particular regions and, where possible, to negotiate on them in keeping with conditions and requirements prevailing in the respective regions, and contains the decision to submit the comprehensive study on confidence-building measures to the second special session of the General Assembly devoted to disarmament for further consideration.

2. This resolution was preceded by several years of developments in the United Nations, some of them initiated by the Federal Republic of Germany:

(a) During the first special session devoted to disarmament, held in June 1978, several States, including the Federal Republic of Germany, submitted proposals for the further international promotion of confidence-building. The Federal Republic of Germany suggested the establishment of regions in which all States conclude agreements on specific confidence-building measures as a first step towards preparing a world-wide convention on confidence-building measures. The following measures were proposed: b/

(i) Disclosure of defence budgets as the prerequisite for any subsequently agreed limitation or curtailment of them.

(ii) Disclosure of the strength and structures of armed forces.

(iii) Notification of changes in these structures.

(iv) Exchange of military personnel, including visits by military delegations.

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\a/ Co-sponsors: Austria, Bahamas, Bangladesh, Belgium, Bolivia, Canada, Chile, Congo, Czechoslovakia, Denmark, Ecuador, Finland, France, Germany, Federal Republic of, Ghana, Greece, Ireland, Italy, Mauritania, Netherlands, New Zealand, Norway, Peru, Philippines, Romania, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Zaire.

\b/ Document A/S-10/AC.1/20 of 8 June 1978.
(v) Notification of military manoeuvres, including small-scale exercises.

(vi) Exchange of observers at manoeuvres.

(vii) Notification of military movements.

(viii) Establishment of observation posts with international staff and electronic monitoring posts in crises areas and demilitarized zones.

(b) In paragraphs 24 and 93 of the Final Document of the Tenth Special Session, the concept of confidence-building measures was for the first time embodied in a United Nations document adopted by consensus. Paragraph 93 contains the following observation: "In order to facilitate the process of disarmament, it is necessary to take measures and pursue policies to strengthen international peace and security and to build confidence among States."

(c) Resolution 33/91 B, adopted on 16 December 1978 by the General Assembly at its thirty-third session with 132 votes in favour and no votes against, recommended that all States should consider on a regional basis arrangements for specific confidence-building measures. States were also invited to inform the Secretary-General of their views and experiences regarding those confidence-building measures they considered appropriate and feasible. The subject of confidence-building measures was thus placed on the agenda of the General Assembly for the first time. The replies by 33 States (A/34/416 and Add.1-3 and A/35/397) to the Secretary-General reflected the substantial interest now placed in confidence-building measures within the United Nations. It was generally acknowledged that confidence-building measures were a useful and necessary basis for progress in disarmament and arms control. Many States stressed the importance of greater openness and transparency for an improved political climate, for eliminating mistrust and for dealing with crises. There was agreement that confidence-building measures could not replace disarmament measures.

(d) The Federal Government expressed its conviction that confidence-building measures alone did not suffice to maintain international peace and security. By adding to the transparency, predictability and consistency of political and military behaviour, they can make, however, an important contribution to greater rationality and stability in international relations, assist in improving the existing instruments of international crisis management, and create favourable over-all conditions for progress in disarmament and arms control.

(e) With resolution 34/87 B of 11 December 1979 the General Assembly took note by consensus of the comments submitted by States,
reaffirmed the principle of confidence-building and decided that a comprehensive study on confidence-building measures be prepared. The group set up for this purpose, and chaired by the representative of the Federal Republic of Germany to the Committee on Disarmament, comprised 14 government experts from various regions of the world. c/ The group concluded its work on 14 August 1981, adopting by consensus a comprehensive report to be submitted to the General Assembly at its thirty-sixth session.

II. The comprehensive study on confidence-building measures can be summarized under the following points:

1. Objective of confidence-building measures

The aim of confidence-building measures is to eliminate the causes of mistrust, fear, tensions and hostilities, which are the main causes of the world-wide armaments efforts. Confidence-building should facilitate the process of negotiations on arms control and disarmament including verification, further the settlement of international disputes and conflicts and the strengthening of the security of States. The study states that one of the main causes of existing mistrust is "the lack of reliable information on the military activities of other States and on other matters pertaining to mutual security". Confidence-building measures are particularly effective if they are tailored to the instabilities characteristic to a particular region. Although, by their nature, they do not affect the scope of military potentials as such, they can prevent aggressive actions by establishing specific behavioural parameters as "restraining thresholds". There was agreement on the need for an exchange of information on military matters. It was merely with regard to the desirable degree of openness and transparency that it was not possible to eliminate all differences of opinion.

2. Characteristics of confidence-building measures

The establishment of a basis for confidence and the broadening of this basis can only be realized by the continuous, regular and full implementation of concrete measures taken step by step. This implies that neither declarations of intent or a repetition of generally recognized principles nor mere promises for a certain behaviour in the future satisfy the exigencies of removing perceptions of threat and suspicion.

3. Principles for confidence-building measures

The strict observance of the principles of the Charter of the United Nations and other relevant instruments of international law is

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c/ Austria, Canada, Czechoslovakia, Ecuador, Finland, Germany, Federal Republic of, Ghana, Japan, Peru, Romania, Thailand, Union of Soviet Socialist Republics, United States of America and Zaire.
a fundamental source of confidence. Confidence-building measures should be applied in an equitable and balanced manner that ensures the right of each State to undiminished security.

4. Procedure for the introduction of confidence-building measures

The group stressed the importance of legally non-binding steps, especially with regard to the initiation of a confidence-building process. A regional approach to confidence-building "is both desirable and feasible" (para. 101, A/36/474). A further step may eventually be an international convention codifying a number of basic and universally acceptable obligations for the implementation of confidence-building measures.

5. Illustrative list of possible measures

The group proposed a list of measures which is contained in appendix I. Some experts stressed the importance of a high degree of openness and transparency for confidence-building and proposed that a number of appropriate measures be implemented (see appendix II). Other experts suggested a number of confidence-building measures to be seen specifically in the European context (see appendix III). Furthermore, a list of measures was proposed relating primarily to political, economic and social matters (see appendix IV).

6. The following proposals were made by the group of experts:

(a) Both the United Nations as well as its Member States should encourage and assist all efforts designed to explore further the ways in which confidence-building measures can strengthen international peace and security.

(b) Important objectives of future efforts could be to arrive at a more detailed analysis of the possibilities for confidence-building in various regions than was possible in the study, further to broaden and strengthen confidence-building measures in the military field, and to widen the approach by giving more attention to non-military aspects of confidence-building.

(c) The United Nations, governmental institutions, institutions of learning and public opinion should contribute to creating and strengthening public awareness of the vast and in many cases unexplored potential for the strengthening of peace and security and the promotion of disarmament measures inherent in confidence-building measures.

(d) In this context, it might be useful if the Secretary-General of the United Nations would keep a voluntary register of confidence-building measures applied throughout the world.

(e) It is recommended that States consider the inclusion of a reference to or an arrangement on confidence-building measures, as
appropriate, in any joint undertaking containing political declarations.

(f) The possibilities of improving and extending existing confidence-building measures as well as developing additional ones should be explored.

III. Position of the Federal Republic of Germany

1. The Federal Republic of Germany regards the fact that a group consisting of representatives from all regions of the world reached agreement on the concept and objective of confidence-building measures as an important step towards the world-wide affirmation and acceptance of this means of achieving stability and safeguarding peace. The following can now be stated on the basis of the results of the study:

(a) Confidence-building measures are a means acknowledged and advocated by the United Nations of improving the prospects for arms control and disarmament, including verification, and for the stabilization of situations of crisis and tension in general.

(b) All States are called upon to promote confidence-building worldwide, especially by means of regional measures.

(c) Confidence can be built only by a phased process of concrete measures, and not by mere promises and declarations of intent.

(d) Openness and transparency are central elements of confidence-building, but full agreement has not yet been reached on the desirable extent of these requirements.

(e) A policy pursued in conformity with the United Nations Charter and in particular the renunciation of the use or threat of force are basic prerequisites for confidence-building.

(f) Confidence can be created only if the principles of equality and the undiminished security of States are observed.

2. The Federal Republic of Germany is in full agreement with the above basic statements of the study. With regard to transparency, it would like to set out the following: The demand of many States for greater mutual openness in the field of military security is in keeping with the nature of confidence-building. Confidence cannot be created without transparency. In the view of the Federal Republic of Germany, countries that pursue a highly transparent security policy render an essential advance contribution towards mutual security. The Federal Republic of Germany considers itself to be one of these countries.
IV. Proposals for the further promotion of confidence-building measures

1. A remarkable degree of agreement exists worldwide with regard to measures for the further promotion of confidence-building. In view of the fact that concrete confidence-building measures must be tailored to the particular conditions of individual regions, the proposals made by the group of experts are perforce of a general nature. The fact that the experts from third world countries submitted a list containing measures of a primarily economic and social nature stresses the need for adapting the concept to regional conditions.

2. On the basis of the suggestions and recommendations of the General Assembly and of the group of governmental experts, the Federal Republic of Germany makes the following proposals:

(a) The second special session devoted to disarmament should endorse the results of the comprehensive study on confidence-building measures and refer it to the General Assembly for further consideration at its thirty-seventh session. In its deliberations, the General Assembly should consider the elaboration of a code of conduct of general validity for confidence-building measures by a suitable United Nations body. Such a code could contain guidelines which, by giving substance to specific provisions of the United Nations Charter, especially the renunciation of force, could relate inter alia to the following:

(i) Observation of manoeuvres,

(ii) The carrying out of manoeuvres and other military movements,

(iii) Notification of arms projects,

(iv) Making defence budgets public and comparable,

(v) Border incidents,

(vi) Incidents on the high seas and in the air,

(vii) The convening of regional conferences on confidence-building and disarmament, along the lines of the envisaged Conference on Disarmament in Europe (CDE).

(b) The twelfth special session should reaffirm the need and usefulness of confidence-building measures for achieving progress in disarmament and arms control and call upon all States to agree on confidence-building measures in accordance with the recommendations of the study and to promote confidence-building in general.

(c) In its negotiations and discussions, the Committee on Disarmament should also, where feasible, prepare agreements on concrete confidence-building measures within the scope of its mandate and recommend concrete confidence-building measures that can facilitate the conclusion of substantive agreements on disarmament and arms control.
APPENDIX I

128. The Group examined policies and measures related to the military aspects of security as having immediate and direct bearing on the maintenance of world peace and international security, and arrived at the following list of possible military and security-related measures:

(a) **Information and communication of a military nature**
   
   (i) Publication and exchange of information on military activities and other matters related to mutual security.
   
   (ii) Publication and exchange of information on matters of arms control and disarmament.

(b) **Military expenditures**
   
   Gradual reduction of military budgets on a mutually agreed basis, for example, in absolute or in percentage terms.

(c) **Prior notification of military activities**
   
   (i) Prior notification of major military manoeuvres under agreed criteria.
   
   (ii) Prior notification of other military manoeuvres on a voluntary basis.
   
   (iii) Prior notification of major military movements.

(d) **Exchange and visits**
   
   (i) Invitation of military observers in connexion with military manoeuvres.
   
   (ii) Exchange of military delegations.
   
   (iii) Provision of scholarships in military schools for military personnel of other States.

(e) **Consultation**
   
   Establishment of consultative mechanism to promote implementation of arms control and disarmament agreements.

(f) **Military conduct**
   
   Provision of information on scope and extent of specific military activities like manoeuvres and specified movements according to pre-established procedures.
(g) **Easing of military tensions**

(i) Steps conducive to easing current military tensions, particularly in situations where significant military forces confront each other.

(ii) Measures to strengthen the security of non-nuclear-weapon States.

(h) **Constraints**

(i) Limitations or exclusion of certain military activities.

(ii) Establishing nuclear-weapon-free zones, demilitarized zones, zones of peace and co-operation on the basis of arrangements freely arrived at among the States concerned.

(i) **Verification**

Continued and enhanced elaboration of procedures for verification as an integral part of confidence-building measures and arms control and disarmament agreements.

(j) **Crisis management**

(i) Establishment of procedures for improving communication and for the reduction of misunderstandings as well as the containment of conflicts including the establishment of hot lines.

(ii) Disengagement and separation of forces.

(iii) Peace-keeping measures such as the establishment of observation posts.

(k) **Settlement of disputes and conflicts**

Steps conducive to the relaxation of tensions and the settlement of conflicts.
APPENDIX II

129. There were experts who advocated the position that an important objective of confidence-building measures should be a high degree of openness in order to allow predictability of national security policies and who believed that measures corresponding to this aim would make an important contribution to eliminating misunderstandings and faulty estimates of military strength and intentions of other States that fed feelings of insecurity. In this context, the following measures were proposed:

(a) Widening information, fostering communication and promoting understanding on security-related issues;

(b) Widening information on military potentials and capabilities;

(c) Clarification and public presentation of defence doctrines;

(d) Establishing patterns and standards of routine peace-time military conduct, thereby creating, at the same time, warning indicators;

(e) Elaborating constraints concerning military options;

(f) Openness of military budgets and the adoption of a standardized reporting format for military expenditures.
APPENDIX III

132. Some experts enumerated specific confidence-building measures in the European context and emphasized that Europe was a focal point in the global strategic situation, having a world-wide impact in terms of international stability and trust among States. They suggested a series of such measures which they hoped, if implemented, might set in motion a process leading towards a more wide-ranging variety of measures aimed at enhanced confidence among States in the interest of world peace and international security. Specific measures suggested were:

(a) Lowering the level of manoeuvres of land forces subject to prior notification from the current 25,000 to 20,000;

(b) Extending the time for the above-mentioned notification from the current three weeks to one month;

(c) Notifying in advance about major manoeuvres of air and naval forces;

(d) Confining military manoeuvres within the limits of 40,000 to 50,000;

(e) Notifying about troop movements of 20,000 and more;

(f) Extending confidence-building measures to the entire European part of the USSR, provided that the western States also undertake a corresponding expansion of the area of application of such measures;

(g) Ways should be explored with a view to extending confidence-building measures to the Far East.
APPENDIX IV

135. In addition to the suggestions of military and security-related measures, policies and measures for the most part related to political, economic and social matters put forward by Governments for the purpose of contributing to building confidence were, in most cases, formulated in general terms. For instance, many Governments expressed the view that it would be important for international confidence for all countries to observe the purposes and principles of the United Nations Charter and its provisions, as well as the provisions contained in other relevant documents of international law.

136. The Group did not study in depth the various views of Governments nor did the Group consider which of them may have relevance for the approach to confidence-building which was given emphasis in the study. The Group felt that these views belonged to the broader approach to confidence-building that emerged from the discussions, the replies given to the Secretary-General, and the relevant statements in the General Assembly. They are listed below for consideration by Governments interested in taking part and contributing further to the confidence-building process:

(a) Respecting the sovereignty, independence and territorial integrity of all States and non-intervention and non-interference in their internal affairs, having regard to the inherent right of States to individual and collective self-defence, in accordance with Article 51 of the United Nations Charter;

(b) Terminating policies of aggression and colonialism;

(c) Respecting human rights and fundamental freedoms in accordance with existing international instruments;

(d) Making use of the United Nations and other appropriate fora for the continuing consideration and promotion of confidence-building measures;

(e) Establishing a new international economic order, including international co-operation and integration for economic and social development;

(f) Respecting the sovereignty of States over their natural resources;

(g) Undertaking joint economic development projects, especially in border areas;

(h) Elaborating bilateral or regional agreements on projects for co-operation and integration;

(i) Using qualified personnel and resources in joint co-operation projects in the field of development and of a humanitarian nature; help in case of natural disasters.